

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

APPLE INC.,	)	
	)	
Plaintiff,	)	
	)	C.A. No. 22-1378-JLH
v.	)	
	)	<b>JURY TRIAL DEMANDED</b>
MASIMO CORPORATION and	)	
SOUND UNITED, LLC,	)	
	)	
Defendants.	)	
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MASIMO CORPORATION,	)	
	)	
Counter-Claimant,	)	
	)	
v.	)	
	)	
APPLE INC.,	)	
	)	
Counter-Defendant.	)	

**[PROPOSED] ORDER GRANTING  
APPLE’S MOTION FOR A NEW TRIAL**

Before the Court is Apple’s timely motion under Rule 59(a) seeking a new trial on the issues of: (i) validity of claim 13 of the ’483 patent; (ii) infringement of claim 13 of the ’483 patent; and (iii) infringement of claim 1 of the ’054 patent. D.I. 801 (Apple’s motion filed December 11, 2024); D.I. 783 (judgment following jury verdict entered November 13, 2024). Having considered the motion, the arguments and authorities, and evidence presented at trial, the Court is persuaded that the motion should be granted.

It is therefore ORDERED, ADJUDGED, and DECREED that:

1. The Court GRANTS Apple’s motion for a new trial (D.I. 801);
2. The judgment (D.I. 800) is SET ASIDE as to invalidity and infringement of the ’483 patent and infringement of the ’054 patent; and
3. A new trial will be scheduled on those issues.

**IT IS SO ORDERED** this \_\_\_\_ day of \_\_\_\_\_, 202\_.

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United States District Court Judge